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*Attorneys for Irving H. Picard, Trustee  
for the Substantively Consolidated SIPA Liquidation  
of Bernard L. Madoff Investment Securities LLC  
and the Estate of Bernard L. Madoff*

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION  
CORPORATION,

Plaintiff,

v.

BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation of  
Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

SUSANNE STONE MARSHALL; ADELE FOX;  
MARSHA PESHKIN; RUSSELL OASIS; A & G  
GOLDMAN PARTNERSHIP; and PAMELA  
GOLDMAN;

Defendants.

Adv. Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

Adv. Pro. No. \_\_\_\_\_ (SMB)

**AFFIDAVIT OF MATTHEW  
COHEN IN SUPPORT OF  
TRUSTEE'S APPLICATION FOR  
ENFORCEMENT OF  
PERMANENT INJUNCTION AND  
AUTOMATIC STAY**

STATE OF NEW YORK        )  
                                      )     ss:  
COUNTY OF NEW YORK     )

MATTHEW COHEN, being duly sworn, deposes and says:

1. I am a Managing Director of AlixPartners LLP, consultant to, and claims agent for, Plaintiff Irving H. Picard (the “Trustee”), trustee for the substantively consolidated liquidation of the business of Bernard L. Madoff Investment Securities LLC (“BLMIS”) under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa, *et seq.* (“SIPA”), and the estate of Bernard L. Madoff (“Madoff”), individually.

2. I make this affidavit to transmit to this Court true and correct copies of documents and provide information in connection with the Trustee’s Application for Enforcement of Permanent Injunction and Automatic Stay.

3. After Marsha Peshkin executed an assignment and release, her allowed claim (Claim No. 002628) was fully satisfied by payment from the Trustee with funds advanced by SIPC.

4. Through SIPC advances and an interim distribution from the fund of customer property, Pamela Goldman’s allowed claims (Claim Nos. 005535 and 005183) have been fully satisfied.

5. After she executed an assignment and release, Susanne Stone Marshall received a payment from the Trustee in the full amount of her allowed claim (Claim No. 000402) with funds advanced by SIPC. Marshall did not file an objection to the Trustee’s determination of her claim within the 30-day period prescribed by the Claims Procedure Order.

6. True and correct copies of the following documents are attached:<sup>1</sup>

- Exhibit A: Customer Claim No. 002269, submitted February 13, 2009 (Adele Fox)
- Exhibit B: Notice of Determination of Claim No. 002269, issued December 9, 2010 (Adele Fox)
- Exhibit C: Objection to Trustee's Determination of Claim filed by Helen Davis Chaitman on behalf of Adele Fox, Adv. Pro. No. 08-1789 (Bankr. S.D.N.Y.), filed December 15, 2010 (ECF No. 3498)
- Exhibit D: Customer Claim No. 002270, submitted February 13, 2009 (Adele Fox)
- Exhibit E: Notice of Determination of Claim No. 002270, issued May 21, 2010 (Adele Fox)
- Exhibit F: Objection to Trustee's Determination of Claim filed by Helen Davis Chaitman on behalf of Adele Fox, Adv. Pro. No. 08-1789 (Bankr. S.D.N.Y.), filed June 2, 2010 (ECF No. 2354)
- Exhibit G: Customer Claim No. 005319, submitted March 3, 2009 (Adele Fox)
- Exhibit H: Notice of Determination of Claim No. 005319, issued December 8, 2009 (Adele Fox)
- Exhibit I: Objection to Trustee's Determination of Claim filed by Helen Davis Chaitman on behalf of, *inter alia*, Fox Family Partnership, Adv. Pro. No. 08-1789 (Bankr. S.D.N.Y.), filed January 11, 2010 (ECF No. 1681)
- Exhibit J: Customer Claim No. 000402, submitted January 14, 2009 (Susanne Stone Marshall)
- Exhibit K: Notice of Determination of Claim No. 000402, issued July 24, 2009 (Susanne Stone Marshall)

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<sup>1</sup> Certain information in the below-described claim forms has been redacted from the copies annexed hereto to protect potentially confidential information in accordance with the Court's Protective Order entered on June 6, 2011, as amended on September 17, 2013. (Adv. Pro. No. 08-01789, ECF Nos. 4137, 5474.) Further, exhibits to this affidavit reflecting filed claims do not include the supporting material originally filed with the claims.

- Exhibit L: Customer Claim No. 002628, submitted February 18, 2009 (Marsha Peshkin)
- Exhibit M: Notice of Determination of Claim No. 002628, issued August 19, 2009 (Marsha Peshkin)
- Exhibit N: Objection to Trustee's Determination of Claim filed by Marsha Peshkin, Adv. Pro. No. 08-1789 (Bankr. S.D.N.Y.), filed Sept. 17, 2009 (ECF No. 439)
- Exhibit O: Customer Claim No. 002627, submitted February 18, 2009 (Marsha Peshkin)
- Exhibit P: Objection to Trustee's Determination of Claim filed by Helen Davis Chaitman on behalf of Marsha Peshkin, Adv. Pro. No. 08-1789 (Bankr. S.D.N.Y.), filed December 7, 2009 (ECF No. 1040)
- Exhibit Q: General creditor claim No. 100379, submitted June 30, 2009 (Marsha Peshkin)
- Exhibit R: Notice of Determination of Claim Nos. 002627 and 100379, issued November 17, 2009 (Marsha Peshkin)
- Exhibit S: Customer Claim No. 005535, submitted March 4, 2009 (Pamela Goldman)
- Exhibit T: Notice of Determination of Claim No. 005535, issued July 2, 2010 (Pamela Goldman)
- Exhibit U: Customer Claim No. 005183, submitted March 4, 2009 (Pamela Goldman)
- Exhibit V: Notice of Determination of Claim No. 005183, issued October 29, 2009 (Pamela Goldman)
- Exhibit W: Customer Claim No. 015036, submitted July 2, 2009 (A&G Goldman)

Exhibit X: Notice of Determination of Claim No. 015036, issued August 28, 2009 (A&G Goldman)

Exhibit Y: Objection to Trustee's Determination of Claim filed by A&G Goldman, Adv. Pro. No. 08-1789 (Bankr. S.D.N.Y.), filed September 30, 2009 (ECF No. 492)

Matthew Cohen  
Matthew Cohen

Sworn and subscribed to before me this 10th  
day of March, 2014

Sharyn P. Doyle  
Notary Public

SHARYN P. DOYLE  
Notary Public, State of New York  
No. 01DO5051953  
Qualified in New York County  
Commission Expires Nov. 13, 2017